

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

JANE DOE,

Plaintiff,

vs.

LIMESTONE UNIVERSITY F/K/A
LIMESTONE COLLEGE, COLLINS
MURPHY, MG FREESITES, LTD., d/b/a
PORNHUB.COM, and HAMMY MEDIA
LTD. d/b/a XHAMSTER.COM,

Defendants.

Case No.: 7:21-CV-03193-JD

MOTION TO AMEND

Plaintiff, Jane Doe, by and through her undersigned counsel, respectfully moves this Court for leave to amend her Complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure. Plaintiff requests leave to amend her Complaint in order to properly reflect the procedural and factual posture of the associated case Jane Does 1-9 v. Murphy et. al. 7:20-cv-00947-JD.

A copy of the proposed Third Amended Complaint is attached hereto as Exhibit 1. In support of this Motion, Plaintiff relies on the statements herein, the pleadings filed in this case, the rules of Court and such other matters as may be properly presented to the Court. Plaintiff has conferred with each Defendant prior to the filing of this Motion, and each Defendant has indicated that they do not intend to oppose Plaintiff's Motion.

Rule 15(a) declares that leave to amend 'shall be freely given when justice so requires'; and the Supreme Court has directed that this mandate is to be heeded. *Foman v. Davis*, 371 U.S. 178, 182, 83 S. Ct. 227, 230, 9 L. Ed. 2d 222 (1962). While the decision to grant a party leave to amend is within the sound discretion of the trial court, "that discretion is limited by the interpretation

given Rule 15(a) and by the general policy embodied in the Federal Rules favoring resolution of cases on their merits.' " *Island Creek Coal Co. v. Lake Shore, Inc.*, 832 F.2d 274, 279 (4th Cir. 1987). Here, there is no opposition to Plaintiff's Motion to amend her pleadings, the current deadline to amend pleadings and to add parties is October 3, 2022¹, and this amendment is not aimed at unduly delaying this cases proceedings.

Therefore, the Plaintiff respectfully requests this Court enter an Order granting Plaintiffs' Motion to file a Third Amended Complaint.

[SIGNATURE BLOCK ON FOLLOWING PAGE.]

¹ See the operative scheduling order Dkt. No. 66

Respectfully submitted,

BELL LEGAL GROUP, LLC

s/J. Edward Bell, III

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June 24, 2022